

HON. RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRIAN McELROY,

Plaintiff,

vs.

STATE OF WASHINGTON DEPARTMENT
OF SOCIAL AND HEALTH SERVICES;
WESTERN STATE HOSPITAL,

Defendants.

NO. CV05-5762 RBL

STIPULATION AND ORDER
REMANDING CASE TO
STATE COURT

STIPULATION

The parties hereby stipulate as follows:

The parties have stipulated to dismissal of plaintiff's federal claims without prejudice pursuant to Federal Rules of Civil Procedure. There being no other claims over which this court has original jurisdiction, the parties hereby jointly move to remand all remaining state

law claims to state court, in accordance with 28 U.S.C. § 1447 and 28 U.S.C. § 1367(c)(3), and without costs to either party.

JOINTLY SUBMITTED this 3rd day of January, 2006.

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ORDER

IT IS SO ORDERED this 5th day of January, 2006.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

STIPULATION AND PROPOSED ORDER REMANDING
CASE TO STATE COURT- 2
USDC WD WA Cause No. CV05-5762 RBL